

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

CIVIL CASE NO. 3:08cv246

US AIRLINE PILOTS )  
ASSOCIATION, )  
Plaintiff, )  
vs. )  
AWAPPA, LLC, JOHN MCILVENNA, )  
MITCH VASIN, PETER BLANDINO, )  
ERIC FERGUSON, JEFF KOONTZ, )  
RUSS PAYNE, KEITH KRUEGER, )  
ERIC AUXIER, CHRISTOPHER )  
CUNDARI, JACK TOOKE, DAVID )  
BRAID, ROBERT J. NARLOCH, )  
BRUCE A. HANNAH, RON )  
GABALDON, SHAWN METZKER, )  
JURIE MAREE, AL CASBY, JEFF )  
ABBOTT, MARK DOYAL, LARRY )  
DIEHL, STEVE TRIMMER, CJ SZMAL, )  
JOE HEIL, KEVIN STEELE, and )  
JOHN DOES 1-100, )  
Defendants. )

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O R D E R

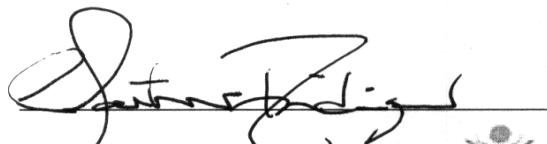
THIS MATTER is before the Court on the Motions to Dismiss [Docs. 99, 103] filed by the Defendants Mark Doyal and Jeff Abbott, both of whom are proceeding *pro se*.

The Court entered an Order on July 11, 2008, dismissing the federal claims stated in the Plaintiff's Amended Complaint for lack of subject matter jurisdiction and dismissing the Plaintiff's state law claims pursuant to 28 U.S.C. §1367(c). [Doc. 97]. The Clerk of Court subsequently entered a Judgment in accordance with the Court's Order. [Doc. 98]. This matter, including the claims against the moving Defendants, having already been dismissed, the Motions to Dismiss [Docs. 99, 103] filed by Defendants Doyal and Abbott are moot.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Motion to Dismiss [Doc. 99] filed by Defendant Mark Doyal and the Motion to Dismiss [Doc. 103] filed by Defendant Jeff Abbott are **DENIED AS MOOT**.

**IT IS SO ORDERED.**

Signed: August 12, 2008



Martin Reidinger  
United States District Judge

